

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE: CANON U.S.A. DATA BREACH
LITIGATION

Case No. 1:20-CV-06239-AMD-SJB

This Document Related To:

All Actions

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs Michael Finnigan, Kenneth Buchbinder, Brian McCartney, Tyrone Villacis, Luis Pichardo, Andrew Hamid, Amy Lynn Hamid, Woodrow Moss, and Diana Rouse (“Class Representatives” or “Plaintiffs”) hereby move this Court for final approval of the class action settlement preliminarily approved by this Court on November 15, 2023. Plaintiffs respectfully request that this Court:

1. Grant final certification of the Settlement Class, appoint Plaintiffs Michael Finnigan, Kenneth Buchbinder, Brian McCartney, Tyrone Villacis, Luis Pichardo, Andrew Hamid, Amy Lynn Hamid, Woodrow Moss, and Diana Rouse as Class Representatives, and appoint John Yanchunis, Esq. and Gary M. Klinger, Esq. as Lead Class Counsel, and Lori Feldman, Esq. as additional Class Counsel;

2. Find that the Notice met the requirements of due process and Federal Rule of Civil Procedure 23;

3. Find the terms of the Settlement Agreement to be fair, reasonable, and adequate and approved, adopted, and incorporated by the Court;

4. Direct the Parties, their respective attorneys, and the Claims Administrator to consummate the Settlement in accordance with the Court Order and the terms of the Settlement Agreement, resolve all claims against all parties in this Action, and issue the Proposed Final Approval Order.

This Motion is based on the Supporting Memorandum filed herewith; the Settlement Administrator Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of Notice Plan and Notices; the Declaration of Gary M. Klinger; the Amended Settlement Agreement entered into between the parties as well as the Notices issued to the Class at ECF 61-1; Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, Supporting Memorandum, and Supporting

Declarations at ECF 61-64; the Parties Joint Memorandum in Response to the Court's September 11, 2023 Order Regarding Motion for Preliminary Approval at ECF 65; and Plaintiff's Motion for Approval of Attorneys' Fees, Expenses, and Service Awards and accompanying documents at ECF 69; and all other pleadings and papers on file in this action; and any oral argument that may be heard by this Court at or prior to the Final Approval Hearing.

Wherefore, Plaintiffs respectfully request that this Court grant this motion and grant the Motion for Final Approval of the Class Action Settlement.

Date: Apr. 11, 2024

/s/ John A. Yanchunis

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certified that on April 11, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ John A. Yanchunis